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July 15, 2022

The Hon. Valerie Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Nike, Inc. v. StockX LLC, No. 22 CV 00983 (S.D.N.Y.)

Dear Judge Caproni:

Pursuant to the Court's April 11, 2022, Civil Case Management Plan and Scheduling Order (Dkt. No. 25), Plaintiff Nike, Inc. ("Nike") and Defendant StockX LLC ("StockX" and together with Nike, the "Parties") respectfully submit this joint letter to update the Court on the status of discovery.

The Parties are proceeding through fact discovery. Since our June update, the Parties have served additional discovery requests relating to the new allegations in Nike's First Amended Complaint. Nike served its Second Set of Requests for Production of Documents and Things and Second Set of Interrogatories on June 16, 2022. StockX served its Second Set of Requests for Production and Second Set of Interrogatories on June 22, 2022. StockX made its first production of documents to Nike on July 8, 2022, and its second production of documents to Nike on July 14, 2022. Nike made its first production of documents to StockX on July 14, 2022. In light of this second round of discovery requests, the Parties intend to substantially complete document production in August so that depositions can occur in September and October prior to the close of fact discovery.

The Parties are currently in the process of meeting and conferring regarding issues surrounding the Parties' designated custodians and search terms, as well as the scope of responses and objections to their respective discovery requests. While the Parties are working in good faith to reach negotiated resolutions of these issues, certain disputes may require the assistance of the Court prior to the next scheduled status update.

Pursuant to Your Honor's order of reference, the Parties will participate in an in-person settlement conference before Judge Netburn on July 18, 2022.

The Parties thank the Court for its attention to this matter.

The Hon. Valerie Caproni

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Respectfully submitted,

/s/ Tamar Y. Duvdevani

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